



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

Rob Neeper, et al.

Serial No.: 10/058,462

Filed: January 28, 2002

) FOR: AUTOMATED METHOD FOR
) TREATMENT OF SAMPLES ON SOLID
) SUPPORTS
)
)
) Group Art Unit: 1743
)

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Lyle Alexander
Examiner

Dear Sir:

NEXUS BIOSYSTEMS, INC., the owner of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory terms of prior patent Nos. 6,503,457 and 6,824,738 as the terms of said prior patents are defined in 35 U.S.C. 154 and 173, and as the terms of said prior patents are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

05/10/2006 CNEGA1 00000029 502075 10058462
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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May 3, 2006

(Mailing Date)

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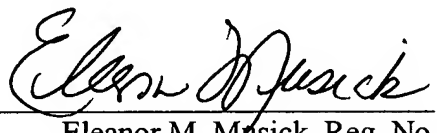
In making the above disclaimers, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory terms as defined in 35 U.S.C. 154 and 173 of the prior patents, as the terms of the prior patents may be shortened by any terminal disclaimer filed prior to the grant of the prior patents, in the event that either of the prior patents: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The present application and the two cited have been assigned by DISCOVERY PARTNERS INTERNATIONAL, INC. to NEXUS BIOSYSTEMS, INC.. This assignment was recorded in the USPTO on March 28, 2006 at Reel/Frame: 017366/0939.

The terminal disclaimer fee under 37 CFR 1.20(d) is included.

Respectfully submitted,

Dated: May 3, 2006

By: 
Eleanor M. Musick, Reg. No. 35,623
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Docket No. PA04D (113452-0066)